



Docket No.: LMPY-9220

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DECLARATION & POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My correct residence, post office address and citizenship are stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

"TUNABLE LASER WITH STABILIZED GRATING"

The specification of this subject matter:

is attached hereto.

- X was filed on January 25, 2001;
X was assigned serial No. (not yet assigned); 09/771,366
which was amended on _____.

I hereby state that I have reviewed and understand the contents of the above-identified patent application, including the claims, as amended by any amendment(s) referred to above. I do not know and do not believe that the claimed invention was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, and that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (for a utility patent application) or six months (for a design patent application) prior to this application.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 C.F.R. §1.56(a).

I hereby claim foreign priority benefits under 35 U.S.C. §119 (a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Claimed

Number	Country	Month/Day/Year Filed	Yes	No

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

<u>60/178,445</u>	<u>January 27, 2000</u>
Application Number	Filing Date
<u>60/190,682</u>	<u>March 20, 2000</u>
Application Number	Filing Date

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in these prior United States application(s) in the manner provided by 35 U.S.C. §112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

Application No.	Filing Date	Status (Issued, Pending, Abandoned)
<u>Application No.</u>	<u>Filing Date</u>	<u>Status (Issued, Pending, Abandoned)</u>
<u>Application No.</u>	<u>Filing Date</u>	<u>Status (Issued, Pending, Abandoned)</u>
<u>Application No.</u>	<u>Filing Date</u>	<u>Status (Issued, Pending, Abandoned)</u>

I hereby appoint Kenneth D'Alessandro, Registration No. 29,144; Timothy Brisson, Registration No.: 44,046; Andrew V. Smith, Registration No.: 43,132 and Seong-Kun Oh, Recognition under 37 C.F.R. § 10.9(b), as attorneys of record with full power of substitution and revocation, to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith, and certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment, a copy of which is attached, from the inventor(s) of the patent application identified above.

Please send all correspondence and direct all telephone calls to:

Andrew V. Smith
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 P.O. Box 6149
 Stateline, NV 89449
 Telephone (775) 586-9500

I, the undersigned, declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.

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I further declare that all statements made herein of my own knowledge are true and that all statements made upon information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1

Date

Signature of Inventor 2

Date

Signature of Inventor 3

Date

Signature of Inventor 4

Date

Signature of Inventor 5

Date

Signature of Inventor 6

Date